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10 UNITED STATES DISTRICT COURT
11 FOR THE CENTRAL DISTRICT OF CALIFORNIA
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15 Plaintiff, Pro Se

16 v.

17 DAVID M. RADEL, U.S. Citizenship
18 and Immigration Services Los Angeles
19 Asylum Office Director,

20 Defendant.
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No. 2:23-cv-8237-DSF-AS

ORDER DISMISSING CASE

Honorable Dale S. Fischer
United States District Judge

1 Having read and considered the Joint Stipulation to Dismiss the Case submitted by
2 the parties, and finding good cause therefor,

3 IT IS HEREBY ORDERED that:

- 4 1. The instant action shall be dismissed without prejudice;
- 5 2. USCIS shall interview Plaintiff, Dan Zhao, on October 17, 2024, at 6:15
6 a.m., at the Los Angeles Asylum Office in Tustin, California. USCIS
7 intends to conduct the interview on the date set, however, the parties
8 understand that due to unexpected staffing limitations or other unforeseen
9 circumstances that may arise, USCIS reserves its right to cancel and
10 reschedule the interview. Should rescheduling be necessary, the interview
11 will be rescheduled within four (4) weeks of the original interview date,
12 absent unforeseen or exceptional circumstances;
- 13 3. Plaintiff agrees to attend the interview on the date listed above, absent
14 unforeseen or exceptional circumstances;
- 15 4. If needed, Plaintiff agrees to only make one (1) interview reschedule request
16 and to notify the Los Angeles Asylum Office of the reschedule request, in
17 writing, prior to the scheduled interview date. Plaintiff may email the
18 reschedule request to LosAngelesAsylum@uscis.dhs.gov;
- 19 5. If multiple reschedule requests are made by Plaintiff, USCIS may place the
20 asylum application back into the Los Angeles Asylum Office's general
21 interview scheduling priorities. *See*
22 *[https://www.uscis.gov/humanitarian/refugees-and-](https://www.uscis.gov/humanitarian/refugees-and-asylum/asylum/affirmative-asylum-interview-scheduling)*
23 *[asylum/asylum/affirmative-asylum-interview-scheduling](https://www.uscis.gov/humanitarian/refugees-and-asylum/asylum/affirmative-asylum-interview-scheduling)*;
- 24 6. Plaintiff understands that additional interview(s) may be required by USCIS
25 as part of the asylum interview process and the adjudication of the
26 application;
- 27 7. USCIS agrees to diligently work towards completing adjudication of the
28 asylum application within 120 days of completion of Plaintiff's asylum

interview, absent unforeseen or exceptional circumstances that would require additional time to complete adjudication;

8. In the event that USCIS does not complete adjudication of the asylum application within 120 days of the completion of the asylum interview, Plaintiff may refile this action;
9. Plaintiff agrees to submit all supplemental documents and evidence, if any, to USCIS prior to the agreed upon scheduled interview based on the following timelines. Plaintiff may email any supplemental documents to LosAngelesAsylum@uscis.dhs.gov at least seven (7) calendar days before the interview. Alternatively, Plaintiff may mail the supplemental documents to the Los Angeles Asylum Office, P.O. Box 2003, Tustin, CA 92781-2003, postmarked no later than ten (10) calendar days prior to the scheduled asylum interview. Plaintiff recognizes that failure to submit these documents in a timely manner may result in the interview being rescheduled at no fault of USCIS;
10. Each party agrees to bear it's the party's own litigation costs, expenses, and attorney fees.

Dated: November 13, 2023



HONORABLE DALE S. FISCHER
UNITED STATES DISTRICT JUDGE